

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
ESTHER SALAS
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
50 WALNUT ST.
ROOM 5076
NEWARK, NJ 07101
973-297-4887

October 5, 2022
LETTER ORDER

Re: *Universal Institute, Inc. v. Thomas Humphries, et al.*
Civil Action No. 21-16066 (ES) (ESK)

Dear counsel:

On September 21, 2021, Plaintiff Universal Institute, Inc. (“Plaintiff”), filed a motion seeking (i) remand of this action to the Superior Court of New Jersey, Law Division, Essex County for lack of subject matter jurisdiction and (ii) attorney’s fees and costs pursuant to 28 U.S.C. § 1447(c). (D.E. No. 3; D.E. No. 3-1 at 5–8). Defendants Thomas and Paula Humphries (together, “Defendants”), as legal guardians of Juliette Humphries, opposed Plaintiff’s motion (D.E. No. 4), and Plaintiff filed a reply (D.E. No. 5).

On June 28, 2022, the Honorable Edward S. Kiel, U.S.M.J., issued a Report and Recommendation recommending that the Court grant Plaintiff’s motion to the extent that it seeks remand but deny the request for fees and costs. (D.E. No. 6 (“R&R”) at 8). Judge Kiel provided the parties fourteen days to file and serve objections to the R&R pursuant to Local Civil Rule 72.1(c)(2). (*Id.*). The parties did not file any objections.

Having reviewed the parties’ submissions and Judge Kiel’s R&R in full, and for the reasons stated therein,

IT IS on this 5th day of October 2022,

ORDERED that the Court **ADOPTS** Judge Keil’s R&R (D.E. No. 6) in full; and it is further

ORDERED that the motion (D.E. No. 3) is **GRANTED-in-part** and **DENIED-in-part**; and it is further

ORDERED that the motion is **DENIED** to the extent that it seeks attorney’s fees and costs; and it is further

ORDERED that the motion is otherwise **GRANTED** for lack of subject matter jurisdiction; and it is further

ORDERED that this matter is **REMANDED** to the Superior Court of New Jersey, Law Division, Essex County.

s/ Esther Salas
Esther Salas, U.S.D.J.